

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ZK-5/2003/Ni/Bré	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/000440	International filing date (day/month/year) 21.01.2004	Priority date (day/month/year) 31.01.2003	
International Patent Classification (IPC) or national classification and IPC C10B 25/16			
Applicant DEUTSCHE MONTAN TECHNOLOGIE GMBH			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:

- a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
- ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))

_____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |

Date of submission of the demand 07-12-2004	Date of completion of this report 23-02-2005
Name and mailing address of the IPEA/ Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/000440

Box No. 1 Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

☐ the international application as originally filed/furnished

☐ the description:

pages 1-8 _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. _____ as originally filed/furnished

nos.* 1-13 _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets 1/6-6/6 _____ as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) -- see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (specify): _____

☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000440

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

1-13

YES

Claims

NO

Inventive step (IS)

Claims

1-13

YES

Claims

NO

Industrial applicability (IA)

Claims

1-13

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

1. Reference is made to the following documents:

D1: US-A-4,028,193

D2: US-A-5 254,222

D3: WO-A-01/30939

D4: DE-A-24 56 862.

2. The present application satisfies the requirements of PCT Article 33(1).

- 2.1 Document D4, which is considered the closest prior art, discloses (see figure 1, claims 1-5) a device for sealing the periphery of a coke oven door having a frame for receiving a coke oven, the seal being adjustable by means of hammer blows, from which the subject matter of claim 1 differs in that a comb-shaped sealing strip (1) having a sealing edge (2), slits (3) and comb teeth (10) is secured to the door body. In document D4 the blade strip (2) has a longitudinal hole (3) extending at a right angle to the blade edge (2a).

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The subject matter of independent claim 1 is therefore novel over document D4 (PCT Article 33(2)).

- 2.2 The technical problem to be solved by the present invention is therefore understood to be that of providing seals for coke oven doors which adapt to any unevenness in the door frame in case of small locking forces, such that known door locking devices can continue to be used in case of retrofitting. Furthermore, the seals are intended not to require welded joints (see page 3, first step).

The solution to this problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) because the prior art does not disclose or suggest anything that would make it possible to solve the problem of interest in the manner proposed in independent claim 1.

- 2.3 Claims 2-12 are dependent on claim 1. Claim 13 refers back to claims 1-3 and therefore likewise meets the PCT requirements for novelty and inventive step.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

- 1.1 Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1, D2 and D4 or indicate the relevant prior art disclosed therein.
- 1.2 The applicant's attention is drawn to the fact that document WO 01/30939 A2, cited on page 5, does not disclose plug-in connections. The document number should therefore be deleted.